THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.27200 of 2006

Dated: 29-12-2006

Between:

Sri Sama Bala Krishna Reddy and others.

.....

PETITIONERS

AND

The Special Officer and Competent Authority, ULC, Hyderabad.

.....RESPONDENT

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.27200 of 2006

ORDER:

This writ petition is filed seeking a writ of Mandamus directing the respondent, namely, the Special Officer and Competent Authority, Urban Land Ceiling (ULC), Hyderabad, to furnish certified copies of the documents requested by the petitioners in their application dated 08.11.2006.

The case of the petitioners, as alleged in the affidavit accompanying the writ petition, is as follows.

The joint family of Laxma Reddy and his four sons i.e., petitioners 1 to 3 and father of petitioners 4 and 5, allegedly owned land admeasuring Acs.7.21 guntas in survey Nos.2 to 6, 17, 20, 20/1 and 121 situated at Badangpet Village, Hayathnagar Taluq, Saroornagar Mandal, Ranga Reddy District. After death of Laxma Reddy on 28.10.2000, the petitioners allegedly partitioned the property each getting an extent of Ac.1.30 guntas as their respective share. It appears that late Laxma Reddy filed a declaration under the provisions of the Urban Land (Ceiling and Regulation) Act, 1976 (the Act, for brevity), and by proceedings No.J/7560/1976, the respondent declared Laxma Reddy as surplus holder of vacant land in Hyderabad agglomeration. The petitioners allege that such view is erroneous as the Act has no application to the lands situated in the said Village and that there was no master plan. The petitioners also contend that as per the orders in G.O.Ms.No.733 dated 31.10.1988, all the four sons of Laxma Reddy are entitled for family holdings and the same was not considered by the respondent. Be that as it is, they made an application to the respondent requesting for certified copies of the orders/proceedings issued under Sections 8(1), 8(4), 9(1), 10(3) and 10(5) of the Act. Alleging that there is no response from the respondent, they filed instant writ petition.

After getting instructions, the learned Assistant Government Pleader for Revenue (ULC) does not dispute that the application of the petitioners dated 08.11.2006 is pending. As seen from the application made by the petitioners, they also requested for certified copies of the Gazette notification. When once the order or proceedings/minutes of the Government or Public Authority are gazetted, they themselves are public documents and there is no necessity again to issue certified

copies of the same. Insofar as other orders are concerned, the respondent, as submitted by the learned Assistant Government Pleader, would furnish the copies after verifying the records.

The writ petition, with the above observations, is accordingly disposed of observing that the respondent should consider the application of the petitioners dated 08.11.2006 and issue certified copies of the documents except the gazette copies after collecting usual charges within a period of four weeks from the date of receipt of a copy of this order. If for any reason, the certified copies cannot be issued, a reasoned order may be passed. No costs.

_____

(**V.V.S.RAO, J**)

29th December, 2006
ghn